

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 3319

NON-UNION



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECURITY

2017 APR 14 AM 9:50

April 14, 2017

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC/ME*
Assistant Staff Director
Reports Analysis Division

BY: Kristin D. Roser *KDR/ME*
Compliance Branch

SUBJECT: Reason to Believe Recommendation -
Failure to File 48-Hour Notices under the Administrative Fine Program

Attached is the name of a principal campaign committee that has failed to file 48-hour notices with the Commission for contributions of \$1,000.00 or more received (1) from the close of books for the West Virginia 12-Day Pre-Primary Report up to 48 hours before the May 10, 2016 Primary Election and (2) from the close of books for the 12-Day Pre-General Report up to 48 hours before the November 8, 2016 General Election, in accordance with 52 U.S.C. § 30104(a) and 11 CFR. § 104.5(f). The committee, Committee to Elect Mark A. Hunt for Congress 2016, represents a candidate who lost the 2016 General Election. The committee is being referred for failing to file 48-hour notices for contributions totaling \$39,700.00.

A 48-hour notice is required to report all contributions of \$1,000.00 or more, to any authorized committee of a candidate, including contributions from the candidate, loans from the candidate and other non-bank sources and endorsements or guarantees of loans from banks, as per 11 CFR § 104.5(f).

We have attached an information sheet which includes the contributor name, date of receipt and amount of the contributions for which a 48-hour notice was not filed.

[illegible][illegible]

- [illegible]

[illegible]

Contributions for Which a 48-Hour Notice Was Not Received

AF #3319

Committee ID: C00608737

Committee Name: Committee to Elect Mark A. Hunt for Congress 2016

Report Types: July Quarterly Report (4/21/2016 – 6/30/2016)

30 Day Post-General Report (10/20/2016 – 11/28/2016)

Primary 48-Hour Reporting Period 4/21/2016 – 5/7/2016

General 48-Hour Reporting Period: 10/20/2016 – 11/5/2016

CONTRIBUTOR	DATE	AMOUNT	REPORTING PERIOD
CARPENTERS LEGISLATIVE IMPROVEMENT COMMITTEE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS	04/28/2016	\$5,000.00	PRIMARY
INTERNATIONAL UNION OF OPERATING ENGINEERS	04/28/2016	\$5,000.00	PRIMARY
UA LOCAL 38 COMMITTEE ON POLITICAL EDUCATION	05/03/2016	\$5,000.00	PRIMARY
IRON WORKERS LOCAL 167 POLITICAL ACTION LEAGUE	05/04/2016	\$2,500.00	PRIMARY
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES	10/20/2016	\$1,000.00	GENERAL
UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION	10/25/2016	\$2,500.00	GENERAL
HUNT, MARK ALLEN	10/26/2016	\$1,500.00	RUNOFF ¹
WHITE, HARRY KEITH	10/27/2016	\$1,000.00	GENERAL
BAILEY, TIMOTHY	10/28/2016	\$1,700.00	GENERAL
DRIVE COMMITTEE	10/28/2016	\$3,500.00	GENERAL
BROWN, KATHY	10/31/2016	\$1,000.00	GENERAL
NEA FUND FOR CHILDREN AND PUBLIC EDUCATION	10/31/2016	\$1,000.00	GENERAL
NEA FUND FOR CHILDREN AND PUBLIC EDUCATION	10/31/2016	\$1,000.00	GENERAL
ROMANO, DAVID	10/31/2016	\$1,000.00	GENERAL
HUNT, MARK ALLEN	11/01/2016	\$2,000.00	GENERAL
AMERICAN FEDERATION OF TEACHERS, AFL-CIO	11/02/2016	\$4,000.00	GENERAL
HOBBS, MARK	11/03/2016	\$1,000.00	GENERAL
TOTAL		\$39,700.00	

¹ It appears this contribution was incorrectly designated for the "runoff" instead of the general election, as the candidate did not participate in any runoff election.

Proposed Civil Money Penalty: \$7,047.50 ((12 Notices Not Filed at \$139 each) + (10% of the Overall Contributions Not Filed)) x (1 x 25%)) + ((12 Notices Not Filed at \$139 each) + (10% of the Overall Contributions Not Filed))

4/12/2017 4:15 PM

AF#	Committee ID	Committee Name	State	Election	Candidate Name	Treasurer	Prev Violations	Notices Not Filed	LOA	Penalty
3319	C00608737	COMMITTEE TO ELECT MARK A. HUNT FOR CONGRESS 2016	WV	2016	MARK ALLEN HUNT	JERRY BROOKOVER	1	12	\$39,700	\$7,047.50

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3319
Reason to Believe Recommendation -)
Failure to File 48-Notices under the)
Administrative Fine Program: Committee)
to Elect Mark A. Hunt for Congress 2016)
and Jerry Brookover, in his official)
capacity as treasurer)

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on April 20, 2017, the Commission decided
by a vote of 5-0 to take the following actions in AF 3319:

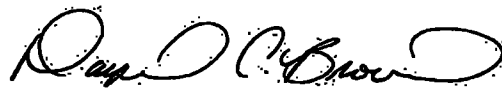
1. Find reason to believe that Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and make a preliminary determination that a civil money penalty of \$7,047.50 be assessed.
2. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted
affirmatively for the decision.

Attest:

April 24, 2017

Date



Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 24, 2017

Jerry Brookover, in official capacity as Treasurer
Committee to Elect Mark A. Hunt for Congress 2016
405 Capitol Street Suite 1100
Charleston, WV 25301

C00608737
AF#: 3319

Dear Mr. Brookover:

The Federal Election Campaign Act of 1971, as amended, 52 U.S.C. § 30101, *et seq.* ("the Act"), requires principal campaign committees of candidates for federal office to notify in writing either the Secretary of the Senate or the Federal Election Commission ("FEC"), and the Secretary of State, as appropriate, of any contribution of \$1,000 or more, received by any authorized committee of the candidate after the 20th day, but more than 48 hours before, any election. 52 U.S.C. § 30104(a)(6)(A). The Act further requires notification to be made within 48 hours after the receipt of the contribution and to include the name of the candidate and office sought, the date of receipt, the amount of the contribution, and the identification of the contributor. *Id.* These notification requirements are in addition to all other reporting requirements. 52 U.S.C. § 30104(a). Our records indicate that Committee to Elect Mark A. Hunt for Congress 2016 did not submit 48-Hour Notices for contributions of \$1,000 or more, received between April 21, 2016 – May 7, 2016 and October 20, 2016 – November 5, 2016, totaling \$39,700, as required by 52 U.S.C. § 30104(a)(6)(A). Attachment 1.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On April 20, 2017, the FEC found that there is Reason to Believe ("RTB") that Committee to Elect Mark A. Hunt for Congress 2016 and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file the 48-Hour Notices. Based on the FEC's schedule of civil money penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at the RTB stage is \$7,047.50. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 2. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. The amount of the civil money penalty is \$139 for each non-filed notice plus 10 percent of the dollar amount of the contributions not timely reported. The civil money penalty increases by 25 percent for each prior violation. Send your payment of \$7,047.50 within forty (40) days of the finding, or by May 30, 2017.

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or May 30, 2017. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Committee to Elect Mark A. Hunt for Congress 2016 and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Aimee Wechsler in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Steven T. Walther
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.44, the amount of your civil money penalty calculated at RTB is \$7,047.50 for the 2016 Primary and General Election 48-Hour Notification Reports.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Committee to Elect Mark A. Hunt for Congress 2016

FEC ID#: C00608737

AF#: 3319

PAYMENT DUE DATE: May 30, 2017

PAYMENT AMOUNT DUE: \$7,047.50

Contributions for Which a 48-Hour Notice Was Not Received**AF #3319****Committee ID: C00608737****Committee Name: Committee to Elect Mark A. Hunt for Congress 2016****Report Types: July Quarterly Report (4/21/2016 – 6/30/2016)****30 Day Post-General Report (10/20/2016 – 11/28/2016)****Primary 48-Hour Reporting Period 4/21/2016 – 5/7/2016****General 48-Hour Reporting Period: 10/20/2016 – 11/5/2016**

CONTRIBUTOR	DATE	AMOUNT	REPORTING PERIOD
CARPENTERS LEGISLATIVE IMPROVEMENT COMMITTEE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS	04/28/2016	\$5,000.00	PRIMARY
INTERNATIONAL UNION OF OPERATING ENGINEERS	04/28/2016	\$5,000.00	PRIMARY
UA LOCAL 38 COMMITTEE ON POLITICAL EDUCATION	05/03/2016	\$5,000.00	PRIMARY
IRON WORKERS LOCAL 167 POLITICAL ACTION LEAGUE	05/04/2016	\$2,500.00	PRIMARY
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES	10/20/2016	\$1,000.00	GENERAL
UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION	10/25/2016	\$2,500.00	GENERAL
HUNT, MARK ALLEN	10/26/2016	\$1,500.00	RUNOFF ¹
WHITE, HARRY KEITH	10/27/2016	\$1,000.00	GENERAL
BAILEY, TIMOTHY	10/28/2016	\$1,700.00	GENERAL
DRIVE COMMITTEE	10/28/2016	\$3,500.00	GENERAL
BROWN, KATHY	10/31/2016	\$1,000.00	GENERAL
NEA FUND FOR CHILDREN AND PUBLIC EDUCATION	10/31/2016	\$1,000.00	GENERAL
NEA FUND FOR CHILDREN AND PUBLIC EDUCATION	10/31/2016	\$1,000.00	GENERAL
ROMANO, DAVID	10/31/2016	\$1,000.00	GENERAL
HUNT, MARK ALLEN	11/01/2016	\$2,000.00	GENERAL
AMERICAN FEDERATION OF TEACHERS, AFL-CIO	11/02/2016	\$4,000.00	GENERAL
HOBBS, MARK	11/03/2016	\$1,000.00	GENERAL
TOTAL		\$39,700.00	

¹ It appears this contribution was incorrectly designated for the "runoff" instead of the general election, as the candidate did not participate in any runoff election.

Number of Previous Civil Money Penalties Assessed: 1

Proposed Civil Money Penalty: \$7,047.50 (((12 Notices Not Filed at \$139 each) + (10% of the Overall Contributions Not Filed)) x (1 x 25%)) + ((12 Notices Not Filed at \$139 each) + (10% of the Overall Contributions Not Filed))

1000-1000

FEC
Office of Administrative Review
999 E Street NW
Washington, DC 20463

May 26, 2017

RECEIVED
FEC MAIL CENTER
2017 MAY 31 AM 10:53

Re: Committee to Elect Mark A. Hunt for Congress 2016

C00608737
AF#: 3319

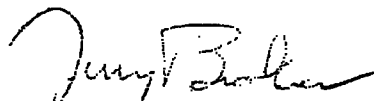
Challenge to the RTB Finding and/or Civil Money Penalty

We wish to challenge the RTB findings on the following grounds:

- 1) Four of the contributions, regardless of the date of the check, were not received by the committee until the date of the election or after, and we were unable to file a 48-Hour report on the amounts or contributors (UA local 38, 5/03/16, \$5000; Iron Workers Local 167, 5/04/16, \$2500; American Federation of Teachers, 11/02/16, \$4000; Mark Hobbs, 11/03/16, \$1000).
- 2) Two of the listed contributions were loans from the candidate and were therefore not subject to 48-Hour reporting (Mark A. Hunt, 10/26/16, \$1500; and Mark A. Hunt, 11/01/16, \$2000).
- 3) A contribution from United Food & Commercial Workers International Union (10/25/16, \$2500) was properly reported on a 48-Hour report.

I would also add that the FEC-provided software has never worked properly, and I have spent countless hours with tech support in order to properly file reports...reports that would take less than half an hour if done by hand, or less if using properly functioning software.

Thank you for your consideration in this matter.


Jerry Brookover
Treasurer



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 28, 2017

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 3319 – Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer (C00608737)

Summary of Recommendation

Make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$3,782 civil money penalty.

Reason-to-Believe Background

In connection with the 2016 West Virginia Primary Election held on May 10, 2016, the respondents were required to file 48-Hour Notices for contributions of \$1,000 or more received between April 21, 2016 and May 7, 2016. In connection with the 2016 General Election held on November 8, 2016, the respondents were required to file 48-Hour Notices for contributions of \$1,000 or more received between October 20, 2016 and November 5, 2016. On April 20, 2017, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for 17 contributions totaling \$39,700 and made a preliminary determination that the civil money penalty was \$7,047.50 based on the schedule of penalties at 11 C.F.R. § 111.44. A letter was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") on April 24, 2017 to notify them of the Commission's RTB finding and civil money penalty.

Legal Requirements

The Federal Election Campaign Act ("Act") requires that the principal campaign committee of a candidate must notify the Commission, in writing, of any contribution of \$1,000 or more received after the 20th day but more than 48 hours before an election. The principal campaign committee must notify the Commission within 48 hours of receipt of the contribution. The 48-hour notification shall be in addition to all other reporting requirements under the Act. 52 U.S.C. § 30104(a)(6)(A) and 11 C.F.R. § 104.5(f). Reports electronically filed must be received and validated at or before 11:59 pm Eastern Standard/Daylight Time on the filing deadline to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Summary of Respondents' Challenge

On May 31, 2017, the Commission received the written response ("challenge") from the Treasurer. The Treasurer contends that seven of the contributions included in the RTB finding should be removed. He explains:

- Four contributions totaling \$12,500 were reported with incorrect receipt dates and were not received during the applicable 48-Hour Notice periods;
- Two contributions totaling \$3,500 were candidate loans, which do not require 48-Hour Notices; and
- One contribution of \$2,500 was appropriately included on a 48-Hour Notice.

The Treasurer concludes by mentioning his cumbersome experience with FECFile.

Analysis

The respondents contend they reported incorrect receipt dates for four of the contributions, totaling \$12,500, and 48-Hour Notices were not required. After reviewing the challenge, the Reviewing Officer requested that the Committee provide the correct receipt dates for those contributions. On July 27, 2017, the respondents provided the correct receipt dates.¹ These contributions were not received during the applicable 48-Hour Notice reporting periods. Therefore, the Reviewing Officer confirms that 48-Hour Notices were not required for these four contributions, and they should not be included in the calculation of the civil money penalty.

The respondents also contend that two of the contributions, totaling \$3,500, were loans from the candidate, and 48-Hour Notice reporting requirements do not apply. However, the Reviewing Officer confirms that the 48-Hour Notice requirements do apply to a committee's receipt of candidate loans. The Commission's regulations, publications, and website explain 48-Hour Notice reporting requirements. Candidate loans are specifically included in the definition of a contribution at 11 C.F.R. § 100.52. In addition, page 81 of the *Campaign Guide for Congressional Candidates and Committees* explains that 48-Hour Notice requirements "[apply] to all types of contributions to any authorized committee of the candidate, including...loans from the candidate..." Further, on October 4, 2016, the Commission's Information Division sent an email to davidkcole@hotmail.com and jerrybrookover@gmail.com, the email addresses disclosed on the Committee's Statement of Organization. The email included a link to the 2016 General Election Report Prior Notice on the Commission's website. The notice detailed the reporting requirements in connection with the 2016 General Election, including the 48-Hour Notice requirement for contributions of \$1,000 or more received from October 20, 2016 through November 5, 2016. Within the Prior Notice, there was a link to the Supplemental Filing Information for Congressional Committees page of the Commission's website, which states:

The principal campaign committee must file notices if any authorized committees receive any contribution (including in-kind gifts or advances

¹ The Reviewing Officer has advised the Committee, and the Committee has agreed, to amend the 2016 July Quarterly and Post-General Reports to disclose the correct receipt dates for these contributions. The amendments should be filed prior to the Reviewing Officer's Final Determination Recommendation to the Commission.

of goods or services; Loans from the candidate or other non-bank sources; and guarantees or endorsements of bank loans to the candidate or committee) of \$1,000 or more per source, during the period less than 20 days but more than 48 hours before any election in which the candidate is running. See 11 CFR 104.5(f). (emphasis included)

The respondents' challenge also contends a 48-Hour Notice was appropriately filed for the \$2,500 contribution from United Food & Commercial Workers International Union received on October 25, 2016. After reviewing the challenge, the Reviewing Officer informed the respondents that the 2016 Post-General Report discloses two separate \$2,500 contributions from United Food & Commercial Workers International Union received on October 25, 2016, totaling \$5,000. The 48-Hour Notice only included one of these \$2,500 contributions. On July 27, 2017, the respondents provided additional information confirming the Committee only received a single contribution of \$2,500.² Therefore, the Reviewing Officer confirms that this contribution should not be included in the calculation of the civil money penalty.

At the time of RTB, the Commission calculated the civil money penalty based on the Committee's failure to file 48-Hour Notices for 17 contributions totaling \$39,700. The Reviewing Officer agrees that 5 contributions totaling \$15,000 should be removed from the calculation of the civil money penalty. The respondents still failed to file a 48-Hour Notice for 12 contributions totaling \$24,700. See Attachment 3. The civil money penalty calculation for 48-Hour Notices is contained at 11 C.F.R. § 111.44. The calculation is \$139 plus 10% of the amount of the contributions not reported on *each* 48-Hour Notice, plus 25% for each previous violation. In accordance with recent guidance from the Commission's Office of General Counsel, the number of missing notices should be calculated by determining the minimum number of notices the Committee could have filed to cover the contributions in question. Following this guidance, the minimum number of 48-Hour Notices the Committee could have filed to cover the contributions in question equals 4. Thus, the amount of the civil money penalty should be $[(\$139 \times 4 \text{ missing notices}) + (.10 \times \$24,700 \text{ in total contributions})] \times [1 + (.25 \times 1 \text{ previous violation})]$, or \$3,782. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$3,782 civil money penalty, reduced from the RTB civil money penalty of \$7,047.50.

² The Reviewing Officer has advised the Committee, and the Committee has agreed, to amend the 2016 Post-General Report to remove the duplicate entry. The amendment should be filed prior to the Reviewing Officer's Final Determination Recommendation to the Commission.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3319 involving Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3319 that Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$3,782 civil money penalty (reduced from the RTB civil money penalty of \$7,047.50); and
3. Send the appropriate letter.

Attachments

- Attachment 1 –
- Attachment 2 –
- Attachment 3 –
- Attachment 4 – Declaration from RAD
- Attachment 5 – Declaration from OAR

DECLARATION OF KRISTIN D. ROSER

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
3. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to the Committee to Elect Mark A. Hunt for Congress 2016 :
 - A) Request for Additional Information for the 2016 July Quarterly Report, received July 19, 2016, referencing the missing 48-Hour Notices (sent via electronic mail to: davidkcole@hotmail.com and jerrybrookover@gmail.com);
 - B) Request for Additional Information for the 2016 30 Day Post-General Report, received December 8, 2016, referencing the missing 48-Hour Notices (sent via electronic mail to: davidkcole@hotmail.com and jerrybrookover@gmail.com);
 - C) Reason-to-Believe Letter, dated April 24, 2017 referencing the missing 48-Hour Notices (sent via overnight mail to the address of record).
4. I hereby certify that I have searched the Commission's public records and find that Committee to Elect Mark A. Hunt for Congress 2016 has not yet filed the missing 48-Hour Notices with the Commission.
5. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 19th day of June, 2017.

Kristin Roser KR

Kristin D. Roser
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

September 8, 2016

JERRY BROOKOVER, TREASURER
COMMITTEE TO ELECT MARK A. HUNT FOR
CONGRESS 2016
405 CAPITOL STREET SUITE 1100
CHARLESTON, WV 25301

Response Due Date
10/13/2016

IDENTIFICATION NUMBER: C00608737

REFERENCE: JULY QUARTERLY REPORT (04/21/2016 - 06/30/2016)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. Failure to adequately respond by the response date noted above could result in an audit or enforcement action. Additional information is needed for the following 2 item(s):

1. Schedule A of your report discloses one or more contributions received after the 2016 primary election that are designated for the 2016 primary. These contributions may only be accepted to the extent that the committee has net debts outstanding from the 2016 primary election. For more information on how to calculate net debts outstanding, please see page 27 of the Campaign Guide for Congressional Candidates and Committees, which is available online at <http://www.fec.gov/pdf/candgui.pdf>. (11 CFR § 110.1(b)(3)(i))

A contribution is considered made when the contributor relinquishes control over the contribution. A contributor shall be considered to have relinquished control over the contribution when it is delivered to the candidate, when it is delivered to an authorized committee of the candidate, or to an agent of an authorized committee of the candidate. A contribution that is mailed to any of the aforementioned recipients will be considered made on the date of the postmark. Envelopes should be retained for the committee's records. (11 CFR § 110.1(b)(6))

If any contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If a contribution exceeds the amount of net debts outstanding from the 2016

COMMITTEE TO ELECT MARK A. HUNT FOR CONGRESS 2016

Page 2 of 4

primary election, you may have to refund or redesignate the contribution.

The funds can be retained if, within 60 days of receipt, the excessive amount was properly redesignated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election, or (2) the committee redesignates by presumption the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B))

If the foregoing conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded. See 11 CFR § 103.3(b)(3).

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters redesignating the contributions in question. Refunds are reported on Line 20(a), (b) or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund or redesignate the excessive amount will be taken into consideration.

2. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Primary Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you

COMMITTEE TO ELECT MARK A. HUNT FOR CONGRESS 2016

Page 3 of 4

review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

- Please be advised that the FEC Committee ID numbers for the following contributions from political committees appear to be incorrect: American Association for Justice (C70003017), Bricklayers District Council 1 (C70004346), International Association of Fire Fighters (C70003108), International Union of Operating Engineers (C70001037) and Sheet Metal Worker's International Association Political Action League PAL (C70001136). Use of incorrect FEC Committee ID numbers may create difficulty in identifying the contributing committee for the public record. (11 CFR § 104.3(a)(4))

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. Requests for extensions of time in which to respond will not be considered.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For additional information about the report review process or specific filing information for your committee type, please visit <http://www.fec.gov/rad/>. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1170.

COMMITTEE TO ELECT MARK A. HUNT FOR CONGRESS 2016

Page 4 of 4

Sincerely,

Robert C. Kelly

Robin Kelly
Senior Campaign Finance Analyst
Reports Analysis Division

403

Missing 48-Hour Notices**Committee to Elect Mark A. Hunt for Congress 2016 (C00608737)**

Contributor Name	Date	Amount	Election
CARPENTERS LEGISLATIVE IMPROVEMENT COMMITTEE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS	4/28/16	\$5,000.00	P2016
INTERNATIONAL UNION OF OPERATING ENGINEERS	4/28/16	\$5,000.00	P2016
IRON WORKERS LOCAL 167 POLITICAL ACTION LEAGUE	5/4/16	\$2,500.00	P2016
UA LOCAL 38 COMMITTEE ON POLITICAL EDUCATION	5/3/16	\$5,000.00	P2016



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 17, 2017

JERRY BROOKOVER, TREASURER
COMMITTEE TO ELECT MARK A. HUNT FOR
CONGRESS 2016
405 CAPITOL STREET, SUITE 1100
CHARLESTON, WV 25301

Response Due Date
02/21/2017

IDENTIFICATION NUMBER: C00608737

REFERENCE: 30 DAY POST-GENERAL REPORT (10/20/2016 - 11/28/2016)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. Failure to adequately respond by the response date noted above could result in an audit or enforcement action. Additional information is needed for the following 3 item(s):

1. Your committee failed to file a Post-Election Detailed Summary Page. The Post-Election Detailed Summary Page must be used in lieu of the Detailed Summary Page and Lines 6-7 of the Summary Page for the first report filed after completion of the election cycle. The Post-Election Detailed Summary Page can be downloaded from the FEC web site (www.fec.gov). Please amend your report to include a Post-Election Detailed Summary Page. (11 CFR §§ 104.2(a) and 104.3)
2. Schedule A of your report indicates that your committee may have failed to file one or more of the required 48-hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-General Report (see attached). A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. (11 CFR § 104.5(f))

COMMITTEE TO ELECT MARK A. HUNT FOR CONGRESS 2016

Page 2 of 3

If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

3. Your report fails to provide proper election designations for contributions disclosed on Schedule A supporting Line(s) 13(a). Authorized committees should indicate the election for which the contribution was designated. If no election is designated, the contribution is applied to the next election for the federal office the candidate is seeking after the contribution date. Please be advised that incorrect election designations may result in excessive or impermissible contributions. Please amend your report to clarify election designations **R2016, Runoff**. (11 CFR §§ 110.1(b) and 110.2(b))

- Please be advised that the FEC Committee ID numbers for the following contributions from political committees appear to be incorrect: American Federation of Government Employees (C70000104), United Food & Commercial Workers (C70003645), and American Federation of Teachers (C70002472). Use of incorrect FEC Committee ID numbers may create difficulty in identifying the contributing committee for the public record. (11 CFR § 104.3(a)(4))

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. Requests for extensions of time in which to respond will not be considered.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For additional information about the report review process or specific filing information for your committee type, please visit <http://www.fec.gov/rad/>. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1170.

COMMITTEE TO ELECT MARK A. HUNT FOR CONGRESS 2016

Page 3 of 3

Sincerely,

Robin C. Kelly

Robin Kelly
Senior Campaign Finance Analyst
Reports Analysis Division

403

Missing 48-Hour Notices**Committee to Elect Mark A. Hunt for Congress 2016 (C00608737)**

Contributor Name	Date	Amount	Election
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES	10/20/16	\$1,000.00	G2016
UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION	10/25/16	\$2,500.00	G2016
HUNT, MARK ALLEN	10/26/16	\$1,500.00	R2016, Runoff
WHITE, HARRY KEITH	10/27/16	\$1,000.00	G2016
BAILEY, TIMOTHY	10/28/16	\$1,700.00	G2016
DRIVE COMMITTEE	10/28/16	\$3,500.00	G2016
BROWN, KATHY	10/31/16	\$1,000.00	G2016
ROMANO, DAVID	10/31/16	\$1,000.00	G2016
NEA FUND FOR CHILDREN AND PUBLIC EDUCATION	10/31/16	\$1,000.00	G2016
NEA FUND FOR CHILDREN AND PUBLIC EDUCATION	10/31/16	\$1,000.00	G2016
HUNT, MARK ALLEN	11/1/16	\$2,000.00	G2016
AMERICAN FEDERATION OF TEACHERS, AFL-CIO	11/2/16	\$4,000.00	G2016
HOBBS, MARK	11/3/16	\$1,000.00	G2016

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The principal campaign committee of a candidate must file notifications disclosing contributions of \$1,000 or more which are received after the 20th day but more than 48 hours before an election. These notifications (also called 48-Hour Notices) must be filed with the Commission within 48 hours of the committee's receipt of the contribution(s).
- 3) I hereby certify that I have searched the Commission's public records and that the document identified herein is the true and accurate copy of:
 - a) 48-Hour Notice filed by Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer, on November 2, 2016.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 28th day of July, 2017.

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

48-HOUR NOTICE OF CONTRIBUTIONS/LOANS RECEIVED

(See Reverse Side for Instructions)

To be used to report all contributions (including loans) of \$1000 or more, received within 20 days of the election.

1. NAME OF COMMITTEE IN FULL COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS																																																																																																																											
ADDRESS (number and street) 405 CAPITOL ST STE 1100																																																																																																																											
CITY CHARLESTON	STATE WV	ZIP CODE 25301																																																																																																																									
2. NAME OF CANDIDATE HUNT, MARK ALLEN, . .		3. OFFICE SOUGHT (State and District) House WV 02																																																																																																																									
		4. FEC IDENTIFICATION NUMBER C00608737																																																																																																																									
5. IS THIS AN AMENDMENT? <input checked="" type="checkbox"/> NO, THIS IS A NEW FILING <input type="checkbox"/> YES, IT AMENDS THE NOTICE FILED ON _____ / _____ / _____																																																																																																																											
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SIGNATURE (optional).. BROOKOVER, JERRY...			DATE 11/02/2016	For further information contact: Federal Election Commission 999 E Street, NW, Washington, DC 20463 Toll Free 800-424-9530, Local 202-694-1100																																																																																																																							
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Any information copied from reports and statements filed under the Federal Election Campaign Act may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes other than using the name and address of any political committee to solicit contributions from such committee.

FEC FORM 6
(Revised 03/2016)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 28, 2017

Jerry Brookover, in official capacity as Treasurer
Committee to Elect Mark A. Hunt for Congress 2016
405 Capitol Street, Suite 1100
Charleston, WV 25301

C00608737
AF#: 3319

Dear Mr. Brookover:

On April 20, 2017, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Committee to Elect Mark A. Hunt for Congress 2016 and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices. The Commission also made a preliminary determination that the civil money penalty was \$7,047.50 based on the schedule of penalties at 11 C.F.R. § 111.44.

After reviewing your written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Rhiannon Magruder

Rhiannon Magruder
Reviewing Officer
Office of Administrative Review



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
2018 JAN 30 PM 1:55

January 30, 2018

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 3319 – Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer (C00608737)

On April 20, 2017, the Commission found reason to believe ("RTB") that the respondents violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices for 17 contributions totaling \$39,700 and made a preliminary determination that the civil money penalty was \$7,047.50 based on the schedule of penalties at 11 C.F.R. § 111.44.

On May 31, 2017, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated July 28, 2017 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer advised the Committee to amend the 2016 July Quarterly and Post-General Reports to disclose the correct receipt dates for 4 contributions totaling \$12,500 and remove a duplicate entry of \$2,500. The amendments were to be filed prior to the Reviewing Officer's Final Determination Recommendation to the Commission. Upon receipt of the required amendments, the Reviewing Officer would recommended that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$3,782 civil money penalty, reduced from the RTB civil money penalty of \$7,047.50.

Within 10 days of transmittal of the recommendation, respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). On January 18, 2018, the Committee filed Amended 2016 July Quarterly and Post-General Reports to correct the receipt

dates for the 4 contributions totaling \$12,500. The Reviewing Officer confirms that these contributions were not received during the applicable 48-Hour Notice reporting periods, as discussed in the ROR. In addition, the Committee removed the duplicate entry of \$2,500 in the Amended 2016 Post-General Report.

The Reviewing Officer confirms that 5 contributions totaling \$15,000 should be removed from the calculation of the civil money penalty. The respondents still failed to file a 48-Hour Notice for 12 contributions totaling \$24,700. See ROR - Attachment 3. The civil money penalty calculation for 48-Hour Notices is contained at 11 C.F.R. § 111.44. The calculation is \$139 plus 10% of the amount of the contributions not reported on *each* 48-Hour Notice, plus 25% for each previous violation. In accordance with recent guidance from the Commission's Office of General Counsel, the number of missing notices should be calculated by determining the minimum number of notices the Committee could have filed to cover the contributions in question. Following this guidance, the minimum number of 48-Hour Notices the Committee could have filed to cover the contributions in question equals 4. Thus, the amount of the civil money penalty should be $[(\$139 \times 4 \text{ missing notices}) + (.10 \times \$24,700 \text{ in total contributions})] \times [1 + (.25 \times 1 \text{ previous violation})]$, or \$3,782. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 52 U.S.C. § 30104(a) and assess a \$3,782 civil money penalty, reduced from the RTB civil money penalty of \$7,047.50.

OAR Recommendations

1. Adopt the Reviewing Officer recommendation for AF# 3319 involving Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer, in making the final determination;
2. Make a final determination in AF# 3319 that Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and assess a \$3,782 civil money penalty (reduced from the RTB civil money penalty of \$7,047.50); and
3. Send the appropriate letter.

Attachments

Attachment I – OAR Declaration, Updated 1/30/2018

DECLARATION OF RHIANNON MAGRUDER

- 1) I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The principal campaign committee of a candidate must file notifications disclosing contributions of \$1,000 or more which are received after the 20th day but more than 48 hours before an election. These notifications (also called 48-Hour Notices) must be filed with the Commission within 48 hours of the committee's receipt of the contribution(s).
- 3) I hereby certify that I have searched the Commission's public records and that the document identified herein is the true and accurate copy of:
 - a) 48-Hour Notice filed by Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer, on November 2, 2016.
 - b) Cover Page, Summary and Detailed Summary Pages, and relevant pages of Schedule A of the Amended 2016 July Quarterly Report filed by Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer, on January 18, 2018.
 - c) Cover Page, Summary and Detailed Summary Pages, and relevant pages of Schedule A of the Amended 2016 Post-General Report filed by Committee to Elect Mark A. Hunt for Congress 2016 and Jerry Brookover, in his official capacity as Treasurer, on January 18, 2018.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington, D.C. on the 30th day of January, 2018.

Rhiannon Magruder
Rhiannon Magruder
Reviewing Officer
Office of Administrative Review
Federal Election Commission

48-HOUR NOTICE OF CONTRIBUTIONS/LOANS RECEIVED

(See Reverse Side for Instructions)

To be used to report all contributions (including loans) of \$1000 or more, received within 20 days of the election.

1. NAME OF COMMITTEE IN FULL COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS			
ADDRESS (number and street) 405 CAPITOL ST STE 1100			
CITY CHARLESTON	STATE WV	ZIP CODE 25301	
2. NAME OF CANDIDATE HUNT, MARK ALLEN, . .		3. OFFICE SOUGHT (State and District) House WV 02	4. FEC IDENTIFICATION NUMBER C00608737
5. IS THIS AN AMENDMENT? <input checked="" type="checkbox"/> NO, THIS IS A NEW FILING <input type="checkbox"/> YES, IT AMENDS THE NOTICE FILED ON _____ / _____ / _____			
A. FULL NAME AFL-CIO COMMITTEE ON POLITICAL EDUCATION TREASURY ACCOUNT		Name of Employer	Date (month, day, year)
MAILING ADDRESS 815 16TH STREET NW #7075		Transaction ID : F6.5173	10/31/2016
CITY WASHINGTON	STATE DC	ZIP CODE 20006	Amount 1000.00
B. FULL NAME AFL-CIO COMMITTEE ON POLITICAL EDUCATION TREASURY ACCOUNT		Name of Employer	Date (month, day, year)
MAILING ADDRESS 815 16TH STREET NW #7075		Transaction ID : F6.5178	10/31/2016
CITY WASHINGTON	STATE DC	ZIP CODE 20006	Amount 0.00
C. FULL NAME UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION		Name of Employer	Date (month, day, year)
MAILING ADDRESS 1775 K STREET NW		Transaction ID : F6.5172	10/31/2016
CITY WASHINGTON	STATE DC	ZIP CODE 20006	Amount 2500.00
D. FULL NAME		Name of Employer	Date (month, day, year)
MAILING ADDRESS			
CITY	STATE	ZIP CODE	Amount
E. FULL NAME		Name of Employer	Date (month, day, year)
MAILING ADDRESS			
CITY	STATE	ZIP CODE	Amount
SIGNATURE (optional) BROOKOVER, JERRY. . .		DATE 11/02/2016	For further information contact: Federal Election Commission 999 E Street, NW, Washington, DC 20463 Toll Free 800-424-9530, Local 202-694-1100
		[Electronically Filed]	

Any information copied from reports and statements filed under the Federal Election Campaign Act may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes other than using the name and address of any political committee to solicit contributions from such committee.

FEC FORM 6
(Revised 03/2016)

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For An Authorized Committee

Office Use Only.

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

ADDRESS (number and street)

405 CAPITOL ST

STE 1100

Check if different
than previously
reported. (ACC)

CHARLESTON

WV

25301

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C C00608737

3. IS THIS REPORT NEW (N) OR AMENDED (A) x

STATE ▼ DISTRICT

WV

02

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

x July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on M M / D D / Y Y Y Y

in the
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on M M / D D / Y Y Y Y

in the
State of

5. Covering Period

M M / D D / Y Y Y Y
04 21 2016

through

M M / D D / Y Y Y Y
06 30 2016

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

BROOKOVER, JERRY...

Type or Print Name of Treasurer

Signature of Treasurer

BROOKOVER, JERRY...

[Electronically Filed]

Date

M M / D D / Y Y Y Y
01 18 2018

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. §30109.

Office
Use
Only**FEC FORM 3**
(Revised 05/2016)

DETAILED SUMMARY PAGE
of Receipts

PAGE 3 / 73

FEC Form 3 (Revised 05/2016)

Write or Type Committee Name

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

Report Covering the Period: From: **04 / 21 / 2016** To: **06 / 30 / 2016**

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	26150.00	28400.00
(ii) Unitemized.....	1250.00	1910.00
(iii) TOTAL of contributions from individuals.....	27400.00	30310.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	57100.00	69684.50
(d) The Candidate.....	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(ii), (b), (c), and (d))..	84500.00	99994.50
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
13. LOANS:		
(a) Made or Guaranteed by the Candidate.....	30750.00	92750.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	30750.00	92750.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.).....	127.40	127.40
15. OTHER RECEIPTS (Dividends, Interest, etc.).....	0.00	0.00
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4).....	115377.40	192871.90

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 4 / 73

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	62163.90	139376.15
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	4500.00	4500.00
(b) Of All Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	4500.00	4500.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	66663.90	143876.15

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	282.25
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	115377.40
25. SUBTOTAL (add Line 23 and Line 24).....	115659.65
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	66663.90
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	48995.75

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTSUse separate schedule(s)
for each category of the
Detailed Summary PageFOR LINE NUMBER:
(check only one)

PAGE 15 OF 73

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input checked="" type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14
			<input type="checkbox"/> 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

Full Name (Last, First, Middle Initial)

INTERNATIONAL UNION OF OPERATING ENGINEERS

Mailing Address 1125 17 STREET NW

City

WASHINGTON

State

DC

Zip Code

20036

FEC ID number of contributing
federal political committee.**C** C00029504

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

10000.00

Date of Receipt

M M / D D / Y Y Y Y
06 06 2016

Transaction ID : SA11C.4191

Amount of Each Receipt this Period

5000.00

Memo Item

DONATION

Full Name (Last, First, Middle Initial)

IRON WORKERS LOCAL 167 POLITICAL ACTION LEAGUE

Mailing Address 2574 LINDAWOOD COVE

City

MEMPHIS

State

TN

Zip Code

38118

FEC ID number of contributing
federal political committee.**C** C00272468

Name of Employer

Occupation

Receipt For: 2016

☒ Primary ☐ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

2500.00

Date of Receipt

M M / D D / Y Y Y Y
05 10 2016

Transaction ID : SA11C.4182

Amount of Each Receipt this Period

2500.00

Memo Item

DONATION

Full Name (Last, First, Middle Initial)

IRON WORKERS LOCAL 167 POLITICAL ACTION LEAGUE

Mailing Address 2574 LINDAWOOD COVE

City

MEMPHIS

State

TN

Zip Code

38118

FEC ID number of contributing
federal political committee.**C** C00272468

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

5000.00

Date of Receipt

M M / D D / Y Y Y Y
06 30 2016

Transaction ID : SA11C.4205

Amount of Each Receipt this Period

2500.00

Memo Item

DONATION

SUBTOTAL of Receipts This Page (optional).....▶

10000.00

TOTAL This Period (last page this line number only).....▶

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 17 OF 73

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input checked="" type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14
			<input type="checkbox"/> 15

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NAME OF COMMITTEE (In Full)

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

Full Name (Last, First, Middle Initial)

SHEET METAL WORKER'S INTERNATIONAL ASSOCIATION POLITICAL ACTION LEAGUE PAL

A.

Mailing Address 1750 NEW YORK AVE NW

City

WASHINGTON

State

DC

Zip Code

20006

FEC ID number of contributing
federal political committee.

C C00007542

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

7500.00

Date of Receipt

M M / D D / Y Y Y Y
06 24 2016

Transaction ID : SA11C.4198

Amount of Each Receipt this Period

5000.00

Memo Item
DONATION

B.

Full Name (Last, First, Middle Initial)

UA LOCAL 38 COMMITTEE ON POLITICAL EDUCATION

Mailing Address 1621 MARKET STREET

City

SAN FRANCISCO

State

CA

Zip Code

94103

FEC ID number of contributing
federal political committee.

C C00379016

Name of Employer.

Occupation

Receipt For: 2016

☒ Primary ☐ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

5000.00

Date of Receipt

M M / D D / Y Y Y Y
05 10 2016

Transaction ID : SA11C.4180

Amount of Each Receipt this Period

5000.00

Memo Item
DONATION

C.

Full Name (Last, First, Middle Initial)

Mailing Address

City

State

Zip Code

FEC ID number of contributing
federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt

M M / D D / Y Y Y Y

Amount of Each Receipt this Period

Memo Item

SUBTOTAL of Receipts This Page (optional) ▶

10000.00

TOTAL This Period (last page this line number only) ▶

57100.00

**FEC
FORM 3****REPORT OF RECEIPTS
AND DISBURSEMENTS**
For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

ADDRESS (number and street)

405 CAPITOL ST

STE 1100

Check if different
than previously
reported. (ACC)

CHARLESTON

WV

25301

CITY ▲

STATE ▲

ZIP CODE ▲

2. FEC IDENTIFICATION NUMBER ▼

C C00608737

3. IS THIS REPORT NEW (N) OR AMENDED (A) x

STATE ▼ DISTRICT

WV

02

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on M M / D D / Y Y Y Y

in the
State of

(c) 30-Day POST-Election Report for the:

x General (30G)

Runoff (30R)

Special (30S)

Election on M M / D D / Y Y Y Y
11 08 2016in the
State of WV

5. Covering Period M M / D D / Y Y Y Y 10 20 2016 through M M / D D / Y Y Y Y 11 28 2016

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

BROOKOVER, JERRY, . .

Type or Print Name of Treasurer

BROOKOVER, JERRY, . .

Signature of Treasurer

[Electronically Filed]

Date

M M / D D / Y Y Y Y
01 18 2018

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 52 U.S.C. §30109.

Office
Use
Only**FEC FORM 3**
(Revised 05/2016)

DETAILED SUMMARY PAGE of Receipts

FEC Form 3 (Revised 05/2016)

PAGE 3 / 85

Write or Type Committee Name

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

Report Covering the Period: From: ^{M M / D D / Y Y Y Y} 10 20 2016 To: ^{M M / D D / Y Y Y Y} 11 28 2016

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
11. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized (use Schedule A).....	9325.00	26150.00
(ii) Unitemized	1300.00	1350.00
(iii) TOTAL of contributions from individuals	10625.00	27500.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs)	13000.00	59660.49
(d) The Candidate.....	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (add Lines 11(a)(iii), (b), (c), and (d))...	23625.00	87160.49
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	0.00	0.00
13. LOANS:		
(a) Made or Guaranteed by the Candidate.....	12600.00	50250.00
(b) All Other Loans.....	0.00	0.00
(c) TOTAL LOANS (add Lines 13(a) and (b)).....	12600.00	50250.00
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)	120.00	127.40
15. OTHER RECEIPTS (Dividends, Interest, etc.).....	0.00	0.00
16. TOTAL RECEIPTS (add Lines 11(e), 12, 13(c), 14, and 15) (Carry Total to Line 24, page 4).....	36345.00	137537.89

DETAILED SUMMARY PAGE of Disbursements

FEC Form 3 (Revised 05/2016)

PAGE 4 / 85

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	58420.35	87607.99
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	4500.00
(b) Of All Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	4500.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	58420.35	92107.99

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	70535.39
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page 3).....	36345.00
25. SUBTOTAL (add Line 23 and Line 24).....	106880.39
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	58420.35
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	48460.04

SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

FOR LINE NUMBER: PAGE 7 OF 85

(check only one)

☒ 11a ☐ 11b ☐ 11c ☐ 11d
☐ 12 ☐ 13a ☐ 13b ☐ 14 ☐ 15

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NAME OF COMMITTEE (In Full)

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

A. Full Name (Last, First, Middle Initial) GARRETT, LINDA, , ,			Date of Receipt M M / D D / Y Y Y Y 10 28 2016	
Mailing Address 704 PROFESSIONAL PARK DR			Transaction ID : SA11AI.5226	
City SUMMERSVILLE	State WV	Zip Code 26651	Amount of Each Receipt this Period , , 250.00	
FEC ID number of contributing federal political committee. C			Memo Item	
Name of Employer BAILEY JAVINS & CARTER		Occupation ATTORNEY	Amount of Each Receipt this Period , , 250.00	
Receipt For: 2016 <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼		Election Cycle-to-Date ▼ , , 500.00	Memo Item	
B. Full Name (Last, First, Middle Initial) HOBBS, MARK, , ,			Date of Receipt M M / D D / Y Y Y Y 11 08 2016	
Mailing Address PO BOX 974			Transaction ID : SA11AI.5243	
City CHAPMANVILLE	State WV	Zip Code 25508	Amount of Each Receipt this Period , , 1000.00	
FEC ID number of contributing federal political committee. C			Memo Item	
Name of Employer SELF		Occupation ATTORNEY	Amount of Each Receipt this Period , , 1000.00	
Receipt For: 2016 <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼		Election Cycle-to-Date ▼ , , 1000.00	Memo Item	
C. Full Name (Last, First, Middle Initial) LEES, JAMES, , ,			Date of Receipt M M / D D / Y Y Y Y 10 20 2016	
Mailing Address 169 WHISPERING WOODS			Transaction ID : SA11AI.5192	
City CHARLESTON	State WV	Zip Code 25304	Amount of Each Receipt this Period , , 250.00	
FEC ID number of contributing federal political committee. C			Memo Item	
Name of Employer HUNT & LEES LC		Occupation ATTORNEY	Amount of Each Receipt this Period , , 250.00	
Receipt For: 2016 <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify) ▼		Election Cycle-to-Date ▼ , , 500.00	Memo Item	
SUBTOTAL of Receipts This Page (optional)			1500.00	
TOTAL This Period (last page this line number only)				

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 12 OF 85

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input checked="" type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14
			<input type="checkbox"/> 15

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

Full Name (Last, First, Middle Initial)

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES

Mailing Address 80 F STREET NW

City

WASHINGTON

State

DC

Zip Code

20001

FEC ID number of contributing
federal political committee.**C** C70000104

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

1000.00

Date of Receipt

M M / D D / Y Y Y Y
10 20 2016

Transaction ID : SA11C.5180

Amount of Each Receipt this Period

1000.00

Memo Item

Full Name (Last, First, Middle Initial)

AMERICAN FEDERATION OF TEACHERS, AFL-CIO

Mailing Address 555 NEW JERSEY AVENUE, N.W.

City

WASHINGTON

State

DC

Zip Code

20001

FEC ID number of contributing
federal political committee.**C** C70002472

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

5000.00

Date of Receipt

M M / D D / Y Y Y Y
11 08 2016

Transaction ID : SA11C.5189

Amount of Each Receipt this Period

4000.00

Memo Item

Full Name (Last, First, Middle Initial)

DRIVE COMMITTEE

Mailing Address 25 LOUISIANA AVE NW

City

WASHINGTON

State

DC

Zip Code

20001

FEC ID number of contributing
federal political committee.**C** C00032979

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

3500.00

Date of Receipt

M M / D D / Y Y Y Y
10 28 2016

Transaction ID : SA11C.5183

Amount of Each Receipt this Period

3500.00

Memo Item

SUBTOTAL of Receipts This Page (optional).....▶

8500.00

TOTAL This Period (last page this line number only).....▶

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 13 OF 85

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input checked="" type="checkbox"/> 11c	<input type="checkbox"/> 11d
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14
			<input type="checkbox"/> 15

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NAME OF COMMITTEE (In Full)

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

Full Name (Last, First, Middle Initial)

NEA FUND FOR CHILDREN AND PUBLIC EDUCATION

Mailing Address 1201 16TH STREET NW STE 418

City

WASHINGTON

State

DC

Zip Code

20036

FEC ID number of contributing
federal political committee.

C C00003251

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

1000.00

Date of Receipt

M M / D D / Y Y Y Y
10 31 2016

Transaction ID : SA11C.5188

Amount of Each Receipt this Period

1000.00

Memo Item

Full Name (Last, First, Middle Initial)

NEA FUND FOR CHILDREN AND PUBLIC EDUCATION

Mailing Address 1201 16TH STREET NW STE 418

City

WASHINGTON

State

DC

Zip Code

20036

FEC ID number of contributing
federal political committee.

C C00003251

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

2000.00

Date of Receipt

M M / D D / Y Y Y Y
10 31 2016

Transaction ID : SA11C.5188

Amount of Each Receipt this Period

1000.00

Memo Item

Full Name (Last, First, Middle Initial)

UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION

Mailing Address 1775 K STREET NW

City

WASHINGTON

State

DC

Zip Code

20006

FEC ID number of contributing
federal political committee.

C C70003645

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

5000.00

Date of Receipt

M M / D D / Y Y Y Y
10 25 2016

Transaction ID : SA11C.5148

Amount of Each Receipt this Period

2500.00

Memo Item

SUBTOTAL of Receipts This Page (optional).....▶

4500.00

TOTAL This Period (last page this line number only).....▶

**SCHEDULE A (FEC Form 3)
ITEMIZED RECEIPTS**Use separate schedule(s)
for each category of the
Detailed Summary Page

FOR LINE NUMBER: PAGE 14 OF 85

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input checked="" type="checkbox"/> 11c	<input type="checkbox"/> 11d	<input type="checkbox"/> 15
<input type="checkbox"/> 12	<input type="checkbox"/> 13a	<input type="checkbox"/> 13b	<input type="checkbox"/> 14	

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NAME OF COMMITTEE (In Full)

COMMITTEE TO ELECT MARK A HUNT FOR CONGRESS

Full Name (Last, First, Middle Initial)

UNITED FOOD & COMMERCIAL WORKERS INTERNATIONAL UNION

Mailing Address 1775 K STREET NW

City

WASHINGTON

State

DC

Zip Code

20006

FEC ID number of contributing
federal political committee.**C** C70003645

Name of Employer

Occupation

Receipt For: 2016

☐ Primary ☒ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

5000.00

Date of Receipt

M M / D D / Y Y Y Y
10 25 2016

Transaction ID : SA11C.5149

Amount of Each Receipt this Period

0.00

Memo Item
duplicate entry

Full Name (Last, First, Middle Initial)

B.

Mailing Address

City

State

Zip Code

FEC ID number of contributing
federal political committee.**C**

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt

M M / D D / Y Y Y Y

Amount of Each Receipt this Period

Memo Item

Full Name (Last, First, Middle Initial)

C.

Mailing Address

City

State

Zip Code

FEC ID number of contributing
federal political committee.**C**

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify) ▼

Election Cycle-to-Date ▼

Date of Receipt

M M / D D / Y Y Y Y

Amount of Each Receipt this Period

Memo Item

SUBTOTAL of Receipts This Page (optional)

0.00

TOTAL This Period (last page this line number only)

13000.00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) AF 3319
Final Determination Recommendation:)
Committee to Elect Mark A. Hunt for)
Congress 2016 and Jerry Brookover, in)
his official capacity as Treasurer)
(C00608737))

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election
Commission, do hereby certify that on February 12, 2018, the Commission
decided by a vote of 5-0 to take the following actions in AF 3319:

1. Adopt the Reviewing Officer recommendation for AF# 3319
involving Committee to Elect Mark A. Hunt for Congress 2016
and Jerry Brookover, in his official capacity as Treasurer, in
making the final determination.
2. Make a final determination in AF# 3319 that Committee to Elect
Mark A. Hunt for Congress 2016 and Jerry Brookover, in his
official capacity as Treasurer, violated 52 U.S.C. § 30104(a) and
assess a \$3,782 civil money penalty (reduced from the RTB civil
money penalty of \$7,047.50).
3. Send the appropriate letter.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub
voted affirmatively for the decision

Attest:

February 12, 2018
Date

Dayna C. Brown
Dayna C. Brown
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 13, 2018

Jerry Brookover, in official capacity as Treasurer
Committee to Elect Mark A. Hunt for Congress 2016
405 Capitol Street, Suite 1100
Charleston, WV 25301

C00608737
AF#: 3319

Dear Mr. Brookover:

On April 20, 2017, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Committee to Elect Mark A. Hunt for Congress 2016 and you, in your official capacity as Treasurer ("respondents"), violated 52 U.S.C. § 30104(a) for failing to timely file 48-Hour Notices. By letter dated April 24, 2017, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$7,047.50 in accordance with the schedule of penalties at 11 C.F.R. § 111.44. On May 31, 2017, the Office of Administrative Review received your written response challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and your written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty, make a final determination that Committee to Elect Mark A. Hunt for Congress 2016 and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assess a civil money penalty in the amount of \$3,782 in accordance with 11 C.F.R. § 111.44. The Reviewing Officer Recommendation was sent to you on July 28, 2017.

On February 12, 2018, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Committee to Elect Mark A. Hunt for Congress 2016 and you, in your official capacity as Treasurer, violated 52 U.S.C. § 30104(a), and assessed a civil money penalty in the amount of \$3,782 (reduced from the RTB civil money penalty of \$7,047.50). A copy of the Final Determination Recommendation is attached.

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 C.F.R. §§ 111.42(b) and 111.20(c), the file will be placed on the public record within 30 days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Carole C. Hunter

Caroline Hunter
Chair

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.44, the civil money penalty is \$3,782 for 48-Hour Notices.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit www.fec.gov/af/pay.shtml to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Committee to Elect Mark A. Hunt for Congress 2016

FEC ID#: C00608737

AF#: 3319

PAYMENT AMOUNT DUE: \$3,782

1-800-621-1304